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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Gregory H. Scott et al.)
Serial No.: 09/888,907)
Filed: June 25, 2001)
Title: Soil Sampler Liner with)
Areas of Reduced Wall)
Thickness)

Attorney Docket No.: KEJR.84164

Examiner: Thomas P. Noland

Art Unit: 2856

#3/Election
Ardaub
1/30/03

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37 C.F.R. 1.8

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Signature

RESPONSE TO RESTRICTION OR ELECTION REQUIREMENT

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TECHNOLOGY CENTER 2800

JAN 29 2003

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Dear Sir:

In response to the Office communication mailed on December 20, 2002, Applicant provisionally elects the invention claimed in claims 1-15 and respectfully requests examination of claims 1-15. Applicant assumes that Invention Group 1 includes apparatus claims **1-15**, not "Claims **1-5**, drawn to a soil sampler liner," as indicated by the Examiner. See Office communication, page 2, paragraph 2.I (emphasis added).

Applicant respectfully traverses the restriction requirement with regard to the contention of the Examiner that Inventions Group 1 (apparatus claims 1-15) and Group 2 (claim 16) are distinct, each from the other, because the apparatus as claimed can be used to practice another and materially different process. In particular, Applicant does not understand the Examiner's contention that "the apparatus is claimed can be used to practice another and materially different process such as one where the reduced areas are not used to facilitate cutting but to allow easier injection of a treating chemical." See Office communication, pages 2-3, paragraph 3.

Respectfully submitted,



Bart A. Starr
Reg. No. 48,386

Shook, Hardy & Bacon LLP
One Kansas City Place
1200 Main Street
Kansas City, MO 64105
(816) 474-6550

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